

Digital Monitoring Implementation Advisory Group – Meeting Minutes

16 May 2018

Chair	Simon Watt (Bell Gully)
Members	Dan Bolger (Fisheries New Zealand), Kevin McEvoy (Fisheries New Zealand), Rob Domanski (Speciality and Emerging Fisheries Group), Amanda Leathers (WWF), Jeremy Helson (Fisheries Inshore NZ Ltd), George Clement (Deepwater Group Ltd), Keith Ingram (NZ Recreational Fisheries Council – via phone for items 1,2 and 3), Geoff Keey (for Karen Baird Forest and Bird), Mark Edwards (Rock Lobster Industry Council), Michael Looker (The Nature Conservancy), Rosemary Hurst (NIWA), Lesley Campbell (FishServe); Kim Drummond (Te Ohu Kaimoana)
In Attendance	Matthew Perkins (Fisheries New Zealand), Nick Wyatt (Fisheries New Zealand), Jamie Campbell (Fisheries New Zealand), Elizabeth Cossar (Fisheries New Zealand), Maria Hansard (Fisheries New Zealand) Laws Lawson (Te Ohu Kaimoana)
Apologies	Jeremy Cooper (Paua Industry Council), Karen Baird (Forest and Bird), Joshua Barclay (Blue Water Marine Research), Ian Angus (Dept of Conservation)
Key discussion points	
1. Welcome a. Minutes 4 April 2018 b. Actions from last meeting c. Historical actions	<p>The Chair welcomed members to the meeting, noting Kim Drummond (Te Ohu Kaimoana) was now representing Te Ohu on the IAG.</p> <p>a. Given that no further comments were received by the Chair, the updated draft minutes from the IAG Meeting on the 4 April 2018 were accepted and approved.</p> <p>b. There were four action items from the last meeting.</p> <p>Action #72 – <i>Contact Federation of Commercial Fisherman Conference to request agenda time slot.</i> Fisheries New Zealand has a 30 minute time slot at the conference. Whilst Digital Monitoring will form part of that discussion, it will not be used to test Roadshow content as previously suggested. This decision has been made based on feedback from the Federations Chair. CLOSED</p> <p>Action #71 – <i>Fisheries New Zealand to review the merits of an ER/GPR trial with a refined scope that supports the achievement of the key objectives noted in Item 5 (IAG Minutes 04/04/18).</i> Presented to IAG, further details to be worked through – to be presented at the IAG meeting on 16th May. REMAIN OPEN</p>

	<p>Action #70 – <i>Regarding tranche based design, New Zealand Fisheries to create an “Option 8” – in line with the parameters agreed.</i> Updated option presented by Jamie Campbell (Implementation Project Manager) to IAG at 16th May 2018 meeting. CLOSED</p> <p>Action #69 – <i>Based on the indicative costs of ER/GPR shared with the group (refer to Action #65) IAG requested clarity around capital and ongoing costs (new operating cost model) once fully developed.</i> To be presented back to IAG once fully developed. REMAIN OPEN</p> <p>c. In terms of the actions refresh circulated to the IAG, a member has come back with a number of actions considered not completely closed out. Generally the issues were around cost recovery, information and data ownership. Fisheries New Zealand has acknowledged the feedback and is working through it. Fisheries New Zealand proposes to liaise with the member in the first instance about how the issues can be progressed, or in some cases just clarify the Fisheries New Zealand position. The outcome to be reflected in an updated actions list.</p>
<p>2. Update from Fisheries New Zealand</p> <p>a. Fisheries New Zealand status</p> <p>b. Consultation on regulatory amendments</p> <p>c. Circular release</p> <p>d. Update on ER/GPR timings</p> <p>e. Electronic Monitoring</p>	<ul style="list-style-type: none"> • Fisheries New Zealand officially launched on 30 April 2017. The Minister has high expectations of the organisation and engagement is at the forefront – Fisheries New Zealand is being encouraged to increase its engagement with stakeholders. The Minister is also keen on innovation, in the context of how we can do things differently. • Consultation on regulatory amendments – an item on this agenda. Consultation closes on 6 June 2018 – because of its relatively technical nature, Fisheries New Zealand is not conducting meetings across the country. Dan Bolger invited IAG members to contact Fisheries New Zealand if they or their colleagues wished to discuss any matters in further detail. • Fisheries New Zealand has released the final circulars for Electronic Reporting and Geospatial Position Reporting. Fisheries New Zealand reiterated that amendments to the regulations will not materially alter the Circulars. SREs noted they considered further adjustments to the circulars were very likely to be necessary. • ER/GPR timings – still working to a final quarter commencement in calendar year 2018. • Electronic monitoring – the group noted that cameras were still being discussed with the Minister. Discussions had revolved around changes required to the Act to address landings and discards, offences and penalties, and more agile decision making that would be available through implementing cameras. The group noted the constraints around timing to meet the legislative process.
<p>3. Implementation Update</p> <p>a. Review of revised plan and interdependencies</p>	<p>Jamie Campbell presented the revised plan and interdependencies to IAG and talked through the key revisions (Plan on a Page)</p> <ul style="list-style-type: none"> • Revisions made were based on feedback received from IAG meeting on the 4th April 2018. • Whilst progress had been made and the plan reflected some of the discussion from the previous meeting, the group noted that the draft plan was still to be formally reviewed and approved by Fisheries New Zealand – and therefore subject to change.

b. Testing the latest tranche design thinking

- Commencement of ER/GPR:
 - There were still a number of planning assumptions that needed testing, most notably engagement with technology providers to ensure the assumed timelines allowed enough time for them to complete all required activities in the lead up to commencement. These conversations had not been possible prior to Circular release. This work is now a priority.
 - There were also a number of interdependencies that were being actively managed and required resolution or close out in advance of the commencement of ER/GPR. These were noted in the presentation material.
 - The current draft plan, proposed the ER/GPR Regulatory Amendments would come into effect November 2018 (a dependency for the commencement of ER/GPR)
- The group noted a key revision to the draft plan was deferring the commencement of ER/GPR to avoid the end of fishing year (a known busy period for Permit Holders/fishers), so moving the start date away from early October and into November was prudent.
- The group noted, and supported that, the six month period between commencement and end of roll out had also been removed. The end date would be determined by end of tranche phasing and not an arbitrary end date. This work is still being progressed, so no end dates or transition periods were discussed.
- The majority of the documented planning assumptions and interdependencies related to three major milestones, notably:
 - Preparation for regional Roadshows;
 - Commencement of trials/discrete tests prior to formal commencement of ER/GPR;
 - Commencement of ER/GPR – which remained dependent on Roadshows and Trials (and the deliverables associated with each), as well as the ER/GPR regulatory amendments.

ACTION: Fisheries New Zealand to develop critical path sequencing for (1) Roadshows, (2) Trials and (3) Overall commencement of ER/GPR.

ACTION: Fisheries New Zealand to add check points into the current plan to ensure delivery risks are continually tested/mitigated and to ensure any issues preventing the plan from being delivered in totality are identified well ahead of time (and implications understood).

- The group noted the following changes:
 - Roadshows have been deferred with planned commencement around mid-July, 2018;
 - The group discussed content that would be required to be ready – namely, confirmation of capital/ongoing costs (to the best information at the time), technology providers being involved in the roadshow with product available for review;

updated information for fishers on IP/privacy, buyer guidance material (tested where possible with Fisher focus groups) – essentially all that content deemed ‘mandatory’ at the IAG meeting of 4th April.

- Fisheries New Zealand would still make use of the Federation of Commercial Fisherman Conference to talk about Digital Monitoring (noting it won’t be in the detail first anticipated)
- Digital Monitoring would make use of fisher focus groups to test guidance materials in advance of Roadshows to ensure what is presented is fit for purpose.
- Feedback from the last meeting suggested an absolute need for trials by service providers – including desk top and at-sea trials (augmenting what we can from those that are already trialling or have been trialled). Strong consensus they are a good idea;
- Dependencies for trials revolved around finalisation of circulars, and technology providers being able to have product available for trials ;
- The goal being to bring together sector representative entities, technology providers, FishServe to agree the scope of initial desktop trial.
- The group confirmed the need for fishers and chosen log book providers/GPR providers to be able to ensure those products work for them. Importantly these tests would also mean without legal liability (an issue raised with Early Adoption of ER/GPR). Others around the table agreed with testing in a parallel environment. Lesley Campbell asked if it would be possible for Fisheries New Zealand to create a test environment, noting that there had been some issue with getting this approved previously.

Jamie acknowledged the amount of detail contained in the revisions presented, and stated to the group that he was happy to take questions post meeting.

At the conclusion of the discussion there was an issue raised around the certification of equipment and liability should equipment fail. The group noted this had been discussed previously but was yet to be adequately addressed. . Comments revolved around two key aspects– the quality of technology/software that fishers would purchase AND the effectiveness of the equipment to meet circular requirements. The key question being how a fisher can tell if their equipment covers both those requirements? FishServe noted that there were some requirements that a fisher would never know were being undertaken by the device (e.g. internal audit). Historically for CEDRIC implementation and upgrades, FishServe had sought certification from MPI. Kim Drummond spoke of the precedence from Councils in water telemetry. Fisheries New Zealand outlined their preference is not to become a provider of equipment nor certifying authority, as they may have liability issues which could compromise their legal obligations as a regulator. FINZ suggested that if the platforms were not certified there was a need to reconsider offences and penalties.

ACTION: Fisheries New Zealand to investigate ECAN's water telemetry and what precedence has been set, particularly with regard to where the obligation sits with the party creating the regulations.

ACTION: Fisheries New Zealand to confirm their position regarding certification and fishers' exposure to legal compliance

Tranche Design Update:

- The consensus from the last meeting was that there was no clear winner (with respect to options presented) and that every option would have its own unique challenges. At the last meeting SREs preferred a regional, multi-method rollout.
- Talked about geographic rollout approach and associated challenges, most notably being difficult to write into the regulations; Legal feedback was that it would be problematic to clearly write this into regulations and articulate clearly and simply to fisher groups. This approach would also mean Permit Holders had to dual report (paper and electronic) which created operational complexity for Fisheries New Zealand given the obligation was at a Permit Holder level.
- Also looked at a method based approach that considered seasonality, which again proved problematic and difficult to write into the regulations (relative to other options) and meant volumes were difficult to manage given once a method cut over all Permit Holders and all their associated methods (to prevent dual reporting) would be cut over at once.
- Fisheries New Zealand discussed a short list of options with FishServe to test the thinking and through that discussion started to investigate how to logically group Permit Holders. The concept of using total ACE to group permit holders provides a lot of flexibility and was also seen as a proxy for Permit Holders that might be more able to manage the change vs those that required additional support (high ACE seen as better able to manage the change, requiring less support than those with low ACE).
- The group noted this wasn't an exact science and also meant some vendors may encounter some logistical challenges for installation and training given Permit Holder were nationally dispersed.
- The group noted that the design would be tested with providers, the assumption being they would gear up as required to fulfil the plan i.e. manage installation of product well in advance of planned commencement dates.
- The group also noted that this approach would not prohibit sector representatives working with their fisher groups at a geographic level (e.g. consolidated training or testing workshops) provided go-live dates provided sufficient time to undertake all the preparation and implementation steps.

The fundamental principle of this design approach being Fisheries New Zealand wants those permit holders that will find the transition to ER/GPR 'easiest' at the front of the roll out. Using ACE as an effective proxy was seen as workable, without being perfect,

	<p>but was the best mechanism to group Permit Holders and ensure vessel volumes were constant throughout, enabling best possible support for the industry (as opposed to having some months with significant volumes, out stripping support capabilities).</p> <p>There was further discussion around providing protocols for the release of data.</p> <ul style="list-style-type: none"> • Fisheries New Zealand noted it was finalising the review of the release guidelines and is currently working on which data is made accessible on the website.
<p>4. Full review discussion paper for proposed ER/GPR regulatory amendments</p> <p>a. Protection of fishing marks</p> <p>b. Timing to complete and provide reports</p> <p>c. Phased implementation</p>	<ul style="list-style-type: none"> • Matt Perkins welcomed Nick Wyatt to the meeting - Nick is part of the Digital Monitoring team and heavily involved in the consultation process, so keen to listen in and potentially respond to questions. • Matt reiterated it was open dialogue process and for members to feel free to ask questions. • Given how detailed and technical the paper was, there was no intention to go though it in detail but rather to focus on the three main areas likely to be of interest. • First point was around protection of fishing marks and potential ways skippers can protect their intellectual property. Acknowledged that at the moment it is on the permit holder to report fine scale positional information. Three different options on the table and keen to hear any initial feedback or questions on those. General discussion around the table regarding protection and use of the data as well as what future management could look like. There was initial support in principal for the intent of the preferred proposed amendment. • The second point is seeking provision of clarity and practical timeframes around reporting obligations and when things needed to be reported by. The driver is to provide clarity to fishers while accounting for the practical constraints and how a timeframe can help promote good fishing practices with a consistent approach for reporting. What Fisheries New Zealand is proposing and keen for feedback on was expanding the reporting timeframe to be within 8 hours of fishing ending for the range of reports. Doesn't change what is required to be reported but will give more time to work through and account for the situation a fisher is in. General discussions around timeframes and definitions followed but general agreement it would be useful to meet and discuss further. • The third proposed amendment to highlight is the phased implementation, looking at whether it should be specified in regulations or whether there is value in looking at other options. • Dan reiterated the offer to contact Fisheries New Zealand to further discuss these matters.
<p>5. Any other business</p>	<p>The date of the next meeting is still to be decided; members will be advised asap. The meeting may focus on presentations around international experience with digital monitoring programmes, including perspectives from TNC, WWF and local trials.</p>

Summary Actions

Action No	Date Raised	Action	Action Owner	Status	Action completed by
73	16/05/18	Fisheries New Zealand to develop critical path sequencing for (1) Roadshows, (2) Trials and (3) Overall commencement of ER/GPR.	MPI	Open	28 June 18
74	16/05/18	Fisheries New Zealand to add check points into the current plan to ensure delivery risks are continually tested/mitigated and to ensure any issues preventing the plan from being delivered in totality are identified well ahead of time (and implications understood).	MPI	Open	28 June 18
75	16/05/18	Fisheries New Zealand to investigate ECAN's water telemetry and what precedence has been set, particularly with regard to where the obligation sits with the party creating the regulations.	MPI	Open	28 June 18
76	16/05/18	Fisheries New Zealand to confirm their position regarding certification and fishers' exposure to legal compliance	MPI	Open	28 June 18